

California Regional Water Quality Control Board
Santa Ana Region

IN THE MATTER OF:

Raytheon Systems Company)	Complaint No. 01-107
1801 Hughes Drive)	for
Fullerton, California)	Mandatory Penalty

YOU ARE HEREBY GIVEN NOTICE THAT:

1. The Raytheon Company is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (Board) must impose a mandatory penalty pursuant to California Water Code (Water Code) Section 13385 (h).
2. A hearing concerning this complaint will be held before the Board within 60 days of the date of issuance of this complaint, unless the Raytheon Company waives its right to a hearing. Waiver procedures are specified on Page 2 of this complaint. If the hearing in this matter is not waived, the hearing will be held during the Board's regular meeting on December 7, 2001 at the City Council Chambers, 25541 Barton Road, Loma Linda. The Raytheon Company or its representatives will have an opportunity to appear and be heard and to contest the allegations in this complaint and the imposition of mandatory penalties by the Board. An agenda announcement for the meeting will be mailed to you not less than 10 days prior to the hearing date.
3. If a hearing is held, the Board will consider whether to affirm, reject or modify the proposed mandatory penalty or whether to refer this matter to the Attorney General for recovery of judicial civil liability.
4. This complaint is based on the following facts:
 - a) On October 11, 1996, the Board adopted Waste Discharge Requirements Order No. 96-18 (NPDES No. CAG918001). These requirements regulate discharges of extracted and treated groundwater resulting from the cleanup of groundwater polluted by petroleum hydrocarbons and/or solvents within the Santa Ana Region.
 - b) On January 30, 1997, the Executive Officer authorized Hughes Aircraft Company to discharge treated groundwater under Order No. 96-18 at their former facility located at 651 Gilbert Street in Fullerton. The treated groundwater was being re-injected into the ground.
 - c) Subsequently Raytheon Company purchased Hughes Aircraft Company and assumed the responsibility to comply with Order No. 96-18.

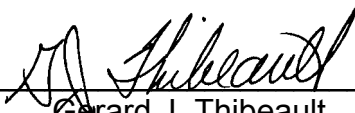
- d) On June 20, Raytheon was notified that trichloroethene was detected in the effluent sample collected on June 7, 2001, at a concentration of 55 ug/l. This exceeds the waste discharge limit for TCE of 5 ug/l that is specified in the waste discharge requirements, Order No 96-18.
5. Water Code Section 13385 (h) requires the Board to assess a mandatory minimum penalty of three thousand dollars (\$3,000) for each violation of effluent limitations under specified conditions.
6. In accordance with Water Code Section 13385(h), the mandatory minimum penalty for the effluent limitation violation cited in Section 4, above, is \$3,000.
7. In accordance with Water Code Section 13385(c), the Board may impose administrative civil liability for the one violation cited in Attachment "A". The maximum administrative civil liability that may be imposed for this violation is \$10,000 plus up to \$10 per gallon discharged when the volume discharged but not cleaned up exceeds 1,000 gallons.
8. The Executive Officer proposes that a mandatory penalty of \$3,000 be imposed on the Raytheon Company by the Board for the violations cited above.
9. You may waive your right to a hearing. If you waive your right to a hearing, please sign the attached waiver, which is Page 3 of this complaint, and return it together with a check payable to the State Water Resources Control Board in the amount of \$3,000. Send the check and waiver to:

Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3339

If you have any questions regarding this complaint, please contact Carl Bernhardt of our Pollutant Investigation Section at (909) 782-4495, or the Board's legal counsel, Jorge Leon, at (916) 341-5180.

(11/07/01)

Date



Gerard J. Thibeault
Executive Officer

ATTACHMENT "A"

California Regional Water Quality Control Board
Santa Ana Region

IN THE MATTER OF:)	
)	
Raytheon Systems Company)	Complaint No. 01-107
1901 West Malvern Avenue)	for
Fullerton, California)	Mandatory Penalties

WAIVER OF HEARING

The Raytheon Company agrees to waive its right to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. 01-107. The Raytheon Company has enclosed a check made payable to the State Water Resources Control Board in the amount of \$3,000 in settlement of Complaint No. 01-107. The Raytheon Company understands that it is giving up its right to be heard and to argue against allegations made by the Executive Officer in Complaint No. 01-107, and against the imposition of, and amount of, the mandatory penalty.

Date

for the Raytheon Company